

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Jason Michael Bankston,	)	
	)	
Plaintiff,	)	
	)	<b>SCHEDULING/DISCOVERY ORDER</b>
vs.	)	
	)	
Michael Chertoff, Secretary, U.S.	)	
Department of Homeland Security, et. al.,	)	
	)	Case No. 1:05-cv-124
Defendants.	)	

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Pursuant to Rule 26(f), the court conducted a scheduling conference on Tuesday, March 8, 2004, in Bismarck, North Dakota. After conferring, the parties have agreed upon the following:

1. The parties or shall make by April 30, 2006, Rule 26(a)(1) disclosures as follows:  
All relevant documents including evidence of lost wages (back-pay and benefits), medical and psychiatric records, and any other document relevant to damages
2. The issues on which the parties need to conduct discovery are:  
Alleged discrimination, alleged hostile workplace, alleged harassment, alleged freedom of speech violation, alleged retaliation, and alleged defamation.
3. The parties shall have until November 1, 2006, to complete fact discovery and to file discovery motions.
4. The parties shall provide the names of expert witnesses and complete reports under Rule 26(a)(2) as follows:  
  
Plaintiff shall have until August 1, 2006, and defendants shall have until August

15, 2006, to identify the subject matter/discipline of expert witnesses to be used at trial. (Identification to be served on other parties but not filed with the court.)

The parties shall have until October 1, 2006, to provide the names of expert witnesses and complete reports under Rule 26(a)(2). (Treating physicians need not prepare reports, only qualifications, unless they will express opinions not reflected in the medical records.) (Reports to be served on other parties, but not filed with the court.)

5. The parties shall have until November 1, 2006, to complete discovery depositions of expert witnesses.
6. The parties shall have until July 1, 2006, to move to join additional parties.
7. The parties shall have until July 1, 2006, to move to amend pleadings to add claims or defenses.
8. The parties shall have until July 1, 2006, to file other nondispositive motions (e.g., consolidation, bifurcation).
9. The parties shall have until August 1, 2006, to file threshold motions (e.g., jurisdiction, qualified immunity, statute of limitations). Discovery shall not be stayed during the pendency of such motions.
10. The parties shall have until September 1, 2006, to file other dispositive motions (summary judgment as to all or part of the case).
11. Each party shall serve no more than 25 interrogatories, including subparts. No broad contention interrogatories (i.e., "List all facts supporting your claim that . . .") shall be used.

12. Each side shall take no more than 10 discovery depositions.
13. Depositions taken for presentation at trial shall be completed 30days before trial..
17. Trial of this case will be jury.
18. The estimated length of trial is 5 days.

**IT IS SO ORDERED.**

Date dated this 1<sup>st</sup> day of March, 2006.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge